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EXAMINER
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NGUYEN, DUC M

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* PASCAL URARD, CHRISTOPHER REGNIER, DANIEL  
GLORIA, OLIVER HINSINGER, PHILIPPE CAVENEL  
and LIONEL BLAME

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Appeal 2016-003657  
Application 13/714,151  
Technology Center 2600

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Before ELENI MANTIS MERCADER, KRISTEN L. DROESCH, and  
CATHERINE SHIANG, *Administrative Patent Judges*.

SHIANG, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1–4 and 6–31, which are all the claims pending and rejected in the application. We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

STATEMENT OF THE CASE

Introduction

According to the Specification, the present invention relates to pairing devices in a network. *See generally* Spec. 1. Claim 1 is exemplary:

1. A wireless unit, comprising:  
a motion sensor;  
a transceiver configured to receive wireless communications; and  
at least one processing device configured to respond to reception of motion information by the transceiver by sampling an output of the motion sensor and comparing the sampled output with received motion information, wherein the received motion information comprises at least one received motion vector having x, y and z components corresponding to three orthogonal directions and the sampled output of the motion sensor comprises at least one sampled motion vector having x, y and z components corresponding to three orthogonal directions, and  
said processing device is configured to perform the comparison by determining a correction vector between one of said received motion vectors and one of said sampled motion vectors and correcting a subsequent one of said received motion vectors and said sampled motion vectors based on said correction vector prior to using the subsequent motion vector during said comparison.

### References and Rejections

Claims 1–4 and 6–31 are rejected under 35 U.S.C. § 103(a) as being obvious over Hermansson (US 2007/0213045 A1; Sept. 13, 2007).

Alternatively, claims 1–4 and 6–31 are rejected under 35 U.S.C. § 103(a) as being obvious over Alameh (US 2010/0167646 A1; July 1, 2010).

### ANALYSIS

We have reviewed the Examiner’s rejections in light of Appellants’ contentions and the evidence of record. We concur with Appellants’

contention that the Examiner erred in finding “said processing device is configured to perform the comparison by determining a correction vector between one of said received motion vectors and one of said sampled motion vectors and correcting a subsequent one of said received motion vectors and said sampled motion vectors based on said correction vector prior to using the subsequent motion vector during said comparison” as recited in independent claim 1, is taught by or would have been obvious in light of the teachings of Hermansson or Alameh.<sup>1</sup> *See* App. Br. 29–33; Reply Br. 2–3.

The Examiner cites Hermansson’s Figure 1 and paragraphs 65 and 77 for the disputed claim limitation. *See* Final Act. 3, 6; Ans. 21–24. We have examined the cited Hermansson portions, and they do not discuss “said processing device is configured to perform the comparison by determining a correction vector between one of said received motion vectors and one of said sampled motion vectors and correcting a subsequent one of said received motion vectors and said sampled motion vectors based on said correction vector prior to using the subsequent motion vector during said comparison” as required by claim 1. *See* App. Br. 29–33; Reply Br. 2–3. Further, the Examiner has not shown the disputed claim limitation would have been obvious in light of the cited Hermansson portions. Absent further explanation from the Examiner, we do not see how the disputed claim limitation is taught by or would have been obvious in light of the cited Hermansson portions.

Alternatively, the Examiner cites Alameh’s Figure 1 and paragraphs 18 and 29 for the disputed claim limitation. *See* Final Act. 9; Ans. 26. We

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<sup>1</sup> Appellants raise additional arguments. Because the identified issue is dispositive of the appeal, we do not reach the additional arguments.

have examined the cited Alameh portions, and they do not discuss “said processing device is configured to perform the comparison by determining a correction vector between one of said received motion vectors and one of said sampled motion vectors and correcting a subsequent one of said received motion vectors and said sampled motion vectors based on said correction vector prior to using the subsequent motion vector during said comparison” as required by claim 1. *See* App. Br. 29–33; Reply Br. 2–3. Further, the Examiner has not shown the disputed claim limitation would have been obvious in light of the cited Alameh portions. Absent further explanation from the Examiner, we do not see how the disputed claim limitation is taught by or would have been obvious in light of the cited Alameh portions.

Because the Examiner fails to provide sufficient evidence or explanation to support the rejection, we are constrained by the record to reverse the Examiner’s rejection of claim 1.

Each of independent claims 9, 14, 17, 22, and 25 recites a limitation similar to the disputed claim limitation of claim 1. *See* claims 9, 14, 17, 22, and 25. The Examiner applies the analysis of claim 1 to the rejection of claims 9, 14, 17, 22, and 25. *See* Final Act. 3, 5, 6, 8, 11, 12; Ans. 28–32. Therefore, for similar reasons, we reverse the Examiner’s rejection of independent claim 9, 14, 17, 22, and 25.

Independent claim 6 recites “said at least one processing device is configured to perform the comparison by determining a difference vector between one of said received motion vectors and one of said sampled motion

vectors and to correct a subsequent one of said received motion vectors and said sampled motion vectors by subtracting the difference vector from the subsequent vector.” The Examiner applies the analysis of claim 1 to the rejection of claim 6. *See* Final Act. 7, 11; Ans. 28. Similar to the discussions above, the cited Hermansson portions (or the cited Alameh portions) do not discuss “said at least one processing device is configured to perform the comparison by determining a difference vector between one of said received motion vectors and one of said sampled motion vectors and to correct a subsequent one of said received motion vectors and said sampled motion vectors by subtracting the difference vector from the subsequent vector,” as required by claim 6. Further, the Examiner has not shown the disputed claim limitation would have been obvious in light of the cited Hermansson portions (or the cited Alameh portions). Therefore, we also reverse the Examiner’s rejection of independent claim 6.

We also reverse the Examiner’s rejection of corresponding dependent claims 2–4, 7, 8, 10–13, 15, 16, 18–21, 23, 24, and 26–31.

#### DECISION

We reverse the Examiner’s decision rejecting claims 1–4 and 6–31.

#### REVERSED